

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ELENA NACARINO,
Plaintiff,

v.

CHOBANI, LLC,
Defendant.

Case No. [20-cv-07437-EMC](#) (AGT)

DISCOVERY ORDER

Re: Dkt. No. 105

1. *ESI custodians.* Chobani must add as custodians the four Chobani employees plaintiffs have identified (Peter Krell, Parul Shah, Meredith Kuchera, and Courtney Tooker). Plaintiffs assert, and have submitted documents to support, *see* Dkt. 106-3, -4, -5, that these four employees tested, reformulated, or procured the vanilla flavoring used in the yogurt at issue.

Chobani hasn't convinced the Court that the requested discovery is unreasonably cumulative or duplicative, or that adding the new custodians, which will increase the number of Chobani custodians from seven to eleven, is disproportionate to the needs of the case. Chobani must search the new custodians' ESI and produce responsive documents by February 8, 2023.

2. *Depositions.* Chobani must make the new custodians available for depositions. Each side may conduct up to ten depositions before needing leave of court to conduct more. *See* Fed. R. Civ. P. 30(a)(2)(A)(i). Plaintiffs haven't reached that limit. If plaintiffs would prefer to depose the new custodians before deposing other Chobani employees, plaintiffs may do so. The Court expects the parties to be able to agree to a schedule, based on the availability of counsel and the deponents.

IT IS SO ORDERED.

Dated: January 24, 2023



ALEX G. TSE
United States Magistrate Judge